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12 Attorneys for Plaintiff,
13 BETTER HOMES REALTY, INC.

14 UNITED STATES DISTRICT COURT
15
16 NORTHERN DISTRICT OF CALIFORNIA

17 BETTER HOMES REALTY, INC.,

18 Plaintiff,

19 v.

20 LAWRENCE VECCHIO, VRI REALTY,
21 INC.,

22 Defendants.

CASE No. C07 3058 PJH

**STIPULATION & [PROPOSED] ORDER
CONTINUING CASE MANAGEMENT
CONFERENCE, INITIAL DISCLOSURE
PERIOD, AND ADR CERTIFICATION**

1 WHEREAS the Initial Case Management Conference in this action is currently scheduled
2 for January 3, 2008;

3 WHEREAS, initial disclosures are currently scheduled to be made on, and the Joint Case
4 Management Statement must currently be filed by, December 27, 2007;

5 WHEREAS, the ADR Certification must currently be filed on December 20, 2007;

6 WHEREAS plaintiff BETTER HOME REALTY, INC. ("Plaintiff") and Defendants
7 LAWRENCE VECCHIO and VRI REALTY, INC. ("Defendants") by and through their
8 principals, have been, and are still, negotiating the details of a comprehensive settlement
9 agreement, which will incorporate both a licensing agreement and a franchise agreement;

10 WHEREAS, Plaintiff has provided draft documentation to Defendant's counsel, and both
11 Plaintiff and Defendant wish to continue with their negotiations regarding the licensing and
12 franchise agreements and are optimistic that such an agreement will result in settlement of the
13 entire action;

14 WHEREAS, during the pendency of their negotiations, Plaintiff and Defendants both
15 desire to avoid the additional attorneys' fees and costs of preparing initial disclosures, drafting a
16 Joint Case Management Statement, selecting a form of ADR, and appearing at the Case
17 Management Conference;

18 THEREFORE, IT IS HEREBY STIPULATED, by and between Plaintiff and Defendants,
19 through their respective counsel of record, that the Initial Case Management Conference be
20 continued to Thursday, February 7, 2008 at 2:30 p.m. in Courtroom 2, the Hon. Phyllis J.
21 Hamilton presiding.

22 IT IS FURTHER STIPULATED that initial disclosure due date and the due date for filing
23 the Joint Case Management Statement, respectively, be continued to January 31, 2008, and that
24 the due date for filing the ADR Certification be continued to January 24, 2008.
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1 Dated: December 20, 2007

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3 By: /s/_____
4 Paul E. Gaspari, Esq. SBN 76496
5 Attorneys for Plaintiff
6 BETTER HOMES REALTY, INC.

7 Dated: December 20, 2007

KRIEG, KELLER, et al.

8 By: /s/_____
9 Kenneth E. Keller, Esq. SBN 71450
10 Attorneys for Defendants
11 LAWRENCE VECCHIO and
12 VRI REALTY, INC.

13 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

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15 Dated: _____

16 Hon. Phyllis J. Hamilton
17 United States Magistrate Judge
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